
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

Executive Order 96 (2005)

ESTABLISHING THE CIVIL RIGHTS MEMORIAL COMMISSION

Importance of the Issue

The Civil Rights Movement was a seminal period in our shared history. The struggles of the Civil Rights Movement secured the constitutional rights of African-Americans and other persons suffering from discrimination in our society. It is a movement that the Commonwealth of Virginia and the Nation should remember and honor.

The Commonwealth has memorialized for future generations many aspects of our history at the seat of government in Capitol Square in Richmond. Regrettably, the Civil Rights Movement has yet to receive such recognition.

Many of the most important legal victories of the Civil Rights Movement originated in Virginia, including Supreme Court decisions that desegregated public transportation and accommodations, juries, courtrooms, and public schools, as well as decisions that invalidated anti-miscegenation laws and restrictive property covenants

For example, in April 1951, the students of Robert Russa Moton High School in Farmville, Virginia, led by 16-year-old Barbara Johns, held a strike to protest unequal conditions in their school system. The protest led to a federal court case, *Davis v. County School Board of Prince Edward County*, which was eventually consolidated with four other cases from Delaware, South Carolina, Kansas, and Washington, D.C. The five consolidated lawsuits culminated in one of the most important decisions ever rendered by the United States Supreme Court, *Brown v. Board of Education of Topeka*. This landmark decision helped spark the Civil Rights Movement and subsequent events in

Virginia that influenced the evolution of civil rights in both the Commonwealth and the Nation.

The bravery of these students and other leaders of the Civil Rights Movement helped create a more just and equitable society for all of our people. There is no more important accomplishment in our history. It is long past time for the Commonwealth of Virginia to recognize and honor the Civil Rights Movement with a memorial.

At my request, the 2005 General Assembly overwhelmingly approved House Joint Resolution 790, which requests the Governor to establish a memorial commission on civil rights.

Creation of the Commission

By virtue of the authority vested in me as Governor under Article V, Section 1 of the Constitution of Virginia and Title 2.2 of the *Code of Virginia*, I hereby establish the Civil Rights Memorial Commission. The Commission shall consist of eight members. As requested by House Joint Resolution 790, I will chair the Commission. Other members shall include the Lieutenant Governor, the Speaker of the House of Delegates, one member of the House of Delegates (appointed by the Speaker of the House of Delegates), the Chairman of the Senate Committee of Rules, and three other members appointed by the Governor.

Members of the Commission shall serve without compensation, but they may receive reimbursement for expenses incurred in the discharge of their official duties.

Charge for the Commission

I hereby direct the Commission to study and recommend to the Governor and General Assembly an appropriate memorial in Capitol Square to commemorate the courage and fortitude of Virginians in the Civil Rights Movement, including the students of Robert Russa Moton High School, and other leaders who contributed to the Civil Rights Movement in Virginia.

I further direct that all agencies of the Commonwealth provide any assistance that may be requested by the Commission. Staff support for the Commission shall be provided by the Office of the Governor and such other agencies as may be designated by the Governor.

The Commission shall submit a report of its findings and recommendations, including an appropriate executive summary, to the General Assembly and to me by December 31, 2005.

This Executive Order shall become effective upon its signing and shall remain in full force and effect until January 1, 2006, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 29th day of July 2005.

Mark R. Warner, Governor

Attest:

Secretary of the Commonwealth